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*Proposed Interim Lead Counsel for Plaintiff Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

All Actions

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF ANNE B. SHAVER IN  
SUPPORT OF PLAINTIFFS' UNOPPOSED  
ADMINISTRATIVE MOTION TO AMEND  
PRETRIAL ORDER NO. 1**

I, Anne B. Shaver, declare as follows:

1. I am an associate with Lieff, Cabraser, Heimann & Bernstein, LLP ("Lieff Cabraser"), Interim Lead Counsel for Plaintiffs and the proposed Class. I make these statements based on personal knowledge and would so testify if called as a witness.

2. I am a member in good standing of the bar of the State of California, as well as the U.S. District Courts for the Northern District of California.

3. This Declaration is submitted in support of Plaintiffs' Unopposed Motion To Amend Pretrial Order No. 1.

4. On Tuesday, May 29, 2012 Anne Shaver of Lieff Cabraser, for Plaintiffs, conferred via email with Michael Tubach of O'Melveny & Myers, for Defendants. Mr. Tubach advised Ms. Shaver that Defendants do not oppose this motion.

5. On Friday, May 25, 2012, Anne Shaver of Lieff Cabraser conferred with the five named Plaintiffs regarding this motion. The named Plaintiffs confirmed that they do not oppose this motion. The other Plaintiffs' counsel firms – Berger & Montague, P.C. and Grant and Eisenhofer – also support this motion.

6. Attached hereto as Exhibit A is a true and correct copy of Lieff Cabraser's firm resume.

#### **Background and Experience of Lieff Cabraser Attorneys**

7. Richard M. Heimann has over 30 years of experience in trial courts in the areas of complex civil litigation, including class action litigation. Mr. Heimann has tried over 30 civil jury cases, and is currently co-lead trial counsel trying the antitrust matter *In re: TFT-LCD (Flat Panel) Antitrust Litig.*, No. MDL 3:07-md-1827 SI (N.D. Cal.). Mr. Heimann has been named a "Northern California Super Lawyer" every year since 2004, one of the "Top 100 Attorneys in California" by the *Daily Journal* in 2010-11, and received the "California Lawyer of the Year" from *California Lawyer* in 2011. Further details on Mr. Heimann's background and experience are listed on page 67 of Exhibit A.

8. Kelly M. Dermody has over eighteen years of experience in plaintiff-side class action litigation. Ms. Dermody chairs the firm's employment group and has extensive experience litigating plaintiff-side employment matters, including wage and hour and discrimination class actions involving vast personnel databases of the type involved in this litigation. She has received numerous awards and honors, including being named one of "San Francisco's Best Lawyers" by *The Best Lawyers in America* from 2010-12 and a "Litigation Star" by *Benchmark Plaintiff* in 2012. She currently serves as the president of the Bar Association of San Francisco and is a Member of the Governing Council of the American Bar Association's

1 Section of Labor and Employment Law. Further details on Ms. Dermody's background and  
2 experience are listed on page 72 of Exhibit A.

3 9. Eric B. Fastiff chairs Lieff Cabraser's antitrust and intellectual property  
4 practice. Mr. Fastiff has served as co-lead counsel in numerous antitrust matters, including *In re:*  
5 *TFT-LCD Antitrust Litig., supra*, and *Sullivan v. DB Investments*, No. 04-02819 (D. N.J.). He  
6 was named a "Northern California Super Lawyer," by *Super Lawyers*, 2010-2011, and a  
7 "Lawdragon Finalist" in 2009. Further details on Mr. Fastiff's background and experience are  
8 listed on page 75 of Exhibit A.

9 10. Brendan P. Glackin is a partner in Lieff Cabraser's antitrust practice group,  
10 with expertise in the telecommunications, computer, and high-tech industries. He is a member of  
11 the *TFT-LCD* team, and served as co-lead trial counsel in the antitrust matter *Meijer v. Abbott*  
12 *Laboratories*, No. C 07-5985, before Judge Claudia Wilken in this District. Further details on  
13 Mr. Glackin's background and experience are listed on page 83 of Exhibit A.

14 11. Dean M. Harvey is an associate in Lieff Cabraser's antitrust practice group,  
15 with five years' experience representing plaintiffs in antitrust litigation. He was named a "Rising  
16 Star for Northern California" in the area of antitrust litigation by *Super Lawyers*, 2010 and 2011,  
17 and is a contributing author to the *ABA Annual Review of Antitrust Law Developments* (2011). In  
18 2006-2007, he served as a law clerk to the Honorable James V. Selna, United States District  
19 Court for the Central District of California. Further details on Mr. Harvey's background and  
20 experience are listed on page 90 of Exhibit A. Mr. Harvey has had substantial responsibility in  
21 this litigation from the start, including pre-filing investigations, motion briefing, and appearing on  
22 behalf of Plaintiffs and the proposed class at all hearings and case management conferences. Mr.  
23 Harvey has been a primary point of contact for telephonic and in-person conferences with  
24 Defendants.

25 12. Anne B. Shaver is an associate in Lieff Cabraser's employment practice  
26 group, with three years' experience representing employees in wage and hour and discrimination  
27 class actions. She is a contributing author to *California Class Actions Practice and Procedures*  
28 (2010), and served as a law clerk to Honorable Betty Fletcher, U.S. Court of Appeals for the

1 Ninth Circuit, 2008-2009. Further details on Ms. Shaver's background and experience are listed  
2 on page 93 of Exhibit A.

3 13. The Lieff Cabraser firm has been involved in all aspects of case  
4 prosecution and management since the inception of the case. The six attorneys listed above have  
5 been responsible for, among other things: interviewing clients and investigating the case; drafting  
6 the original and consolidated complaints; meeting and conferring with defense counsel regarding  
7 discovery, ESI, and case management; law and motion, including opposing defendants' motions  
8 to dismiss and third party subpoenas; reviewing Defendants' document productions and data  
9 productions; reviewing and producing Plaintiffs' documents and discovery responses; retaining  
10 and working with the experts; and representing the Plaintiffs at all hearings and case management  
11 conferences. In addition, the Lieff Cabraser attorneys remain the primary point of contact with  
12 the Plaintiffs and potential class members.

13 14. Lieff Cabraser is committed to working together with the Saveri Law Firm  
14 as Co-lead Counsel for the benefit of the class.

15 \* \* \*

16 I declare under penalty of perjury, under the laws of the United States, that the foregoing  
17 is true and correct. Executed this 3rd day of June, 2012, at San Francisco, California.

18 /s/ Anne B. Shaver  
19 Anne B. Shaver